

**Leon County
2009-2010 Citizens Charter
Review Committee (CRC)
November 12, 2009**

The Leon County 2009-2010 Citizens Charter Review Committee (CRC) met on November 12 in the Commission Chambers with Committee members Marilyn Wills, Larry Simmons, Ralph Mason, Linda Nichol森, Chuck Hobbs, David Jacobson, Sue Dick, Catherine Jones, Lance De-Haven Smith, and Rick Bateman (arrived at 11:45) in attendance. Members absent were: Lester Abberger, Jon Ausman, Donna Harper, Christopher Holley, and Tom Napier. Also attending were County Administrator Parwez Alam, County Attorney Herb Thiele, Deputy County Administrator Vince Long; Facilitator Kurt Spitzer, Special Projects Coordinator Shington Lamy, and Clerk Rebecca Vause.

In Chairman Holley's absence, the meeting was Chaired by Vice-Chair Marilyn Wills.

- I. Call to Order:
Ms. Wills Called the Meeting to Order at 11:35 a.m.
- II. Invocation and Pledge:
The Invocation was provided by Larry Simmons who then led the Pledge of Allegiance.
- III. Roll Call:
The Roll Call was conducted by the Clerk.
- IV. Approval of the Minutes:
Ralph Mason noted a correction to his name. The minutes, as corrected, were moved for approval by David Jacobson and were unanimously approved.
- V. Reports of Chairperson:
Ms. Wills noted that Chairman Holley provided the article *Ways to Think About Charter Reform*, which was included in the Committee's packet. The article is provided for informational purposes only.
- VI. Presentations by Invited Guests/Consultant
 - County Administrator Alam provided an overview of County Government and the County Charter.

Presentation by County Commissioners (Commissioners were provided an opportunity to appear before the CRC to share their priority issues.) A summary of these comments follow:

- Commissioner Bryan Desloge opined that the 1) role and term of the Chairman should be extended; 2) elections should remain non-partisan; 3) composition of Commission be changed to four district commissioners and three at large, and 4) efforts of functional consolidation among governments within the community, i.e., City, FSU, FAMU, TCC be improved.

Sue Dick dialogued with Commissioner Desloge on the current term and the process of choosing the Chairman position and also discussed consolidation.

Chuck Hobbs inquired on the potential implementation of a "new" Commission districting scheme. Mr. Thiele shared that County was under a Court ruling that requires consent from the Justice Department and the NAACP to the

change districting scheme. Mr. Bateman confirmed with Mr. Thiele that the Courts would have to approve any change to the current format.

Mr. Thiele established that contact would be made with the Justice Department and the NAACP if the CRC were to recommend a change to the current districting scheme.

Mr. Bateman requested a copy of the Consent Decree; which Mr. Thiele stated his office would provide at the next CRC meeting.

There continued to be discussion on this issue.

- Commissioner Dailey noted that this was a citizen process and that it was not the role of a Commissioner to guide them, but to assist in any way. He offered two recommendations: 1) "Less is better" and that the Charter should not be so specific as to hinder County government. He emphasized specifically, that functional consolidation should not be in the Charter, but instead be addressed through Joint Agreements and 2) Section 2.3, paragraph 2, Senior Management of the Charter, be amended to reflect the current organizational structure whereby the Tourist Development Council reports to the County Administrator.
- Commissioner Sauls provided written comments to the CRC and these were read into the Record by Ms. Wills. A copy of Commissioner Sauls remarks are attached.
- Commissioner Thael focused his remarks on campaign finance reform, specially limited campaign contributions for local elections. He asked the CRC to look closely at the Sarasota County Charter, which initially set a ceiling of \$40,000 per election campaign and a \$200 limit on individual contributions. However, the Courts ruled against the \$40,000 provision as unconstitutional.
- Commissioner Proctor provided comments on several issues he wished the CRC to address: 1) intellectual property component, 2) establishment of a Petroleum Commission to study the impacts of oil drilling to North Florida; 3) establishment of a Water Management District/Commission to address water rights; 4) establishment of Utility Commission; 5) growth management specifically regarding the one house per ten acre provision for the Southside; 6) affordable housing; 7) installation of sewer infrastructure to the southside; 8) review of annexation policy, 9) county/city consolidation whereby City functions would be incorporated in the County's operations, and 10) voiced his support for the current Commission districting scheme.
- Commissioner Akinyemi requested that the CRC address the issues of Campaign Contribution Reform and the creation of a Citizen Utility Review Advisory Board. A copy of Commissioner Akinyemi's comments is attached.

David Jacobsen inquired on Commissioner Akinyemi's position on out of county contributions and the \$40,000 campaign cycle limit. Commissioner Akinyemi voiced his support for both matters.

The CRC requested a legal opinion on local authority of campaign finance reform from the County Attorney's Office. Mr. Kinni, Assistant County Attorney, stated that this information would be provided at the next meeting along with the Consent Decree.

VII. Remarks of Interested Citizens:
none

VIII. Unfinished Business:
none

IX. New Business

Mr. Spitzer noted that the revised bylaws, as well as comparative data on other CRC bylaws would be available for the CRCs review and consideration at the next meeting.

Direction to Staff:

Mr. Bateman requested staff provide a comparative analysis of other County charters. In addition, Linda Nichol森 asked that staff provide “best practices” from other Charter Counties.

There was discussion regarding the NAACP’s position on the district redistricting scheme. Chuck Hobbs, in his role as counsel to the NAACP, offered to request that the President of the local chapter of the NAACP appear at a later CRC meeting.

Ms. Dick remarked she was concerned that some of the issues brought forward by Commissioners were outside of the purview of the Committee’s role and did not want to appear unresponsive to their comments. Mr. Spitzer offered to provide an abbreviated summary, in conjunction with the County Attorney’s Office, of issues presented by the County Commissioners.

Cathy Jones asked about the status of the information that was requested on voting thresholds. Mr. Spitzer advised that this was a work in progress and would be available prior to next week’s meeting.

Ms. Dicks inquired how the subject of member attendance can be addressed. Ms. Wills commented that this issue could be addressed by the Chair at the next meeting.

Shington Lamy stated that reminder e-mails would be provided to the members prior to each meeting and asked that members notify him of a scheduling conflict that would preclude their attendance at the meeting. He added that he is working to schedule Constitutional Officers’ presentations for the December meetings.

X. Adjournment with Day Fixed for Next Meeting:
Date of next meeting November 19 at 11:30 a.m. in Commission Chambers.

There being no further business, the meeting was adjourned at 1:45 p.m.

Christopher Holley, Chair

Bob Inzer, Clerk of Court

November 12, 2009

Dear Charter Review Committee Members,

I commend you for accepting to serve on this most important committee and I know that we have assembled the best minds for the task ahead. I appreciate the expertise and diverse view points that you each brought to the table. I will honor your collective wisdom by giving your recommendations my most serious consideration. Our commission has put forth some great issues for you to consider. I want to encourage you to exert your independence of thought and not be bound by just these issues. Bring to us what you believe are of the utmost importance. I'll be glad to answer your questions on these and other issues, but would like to focus my talk on the following two issues that are near and dear to me:

A. CAMPAIGN CONTRIBUTION REFORM:

Although this issue is largely regulated at state level, we can as a community, set a good example and nudge our legislature along by doing all we can to level the playing field. Providing an opportunity for well qualified, but lesser known candidates, is very important to me far above my own interest for re-election. The issue is not necessarily lowering the \$500 per entity contribution limit, but closing several loop holes as well as providing "near equal" media access to all. Without violating existing laws, examples of recommendations from this committee may include, but not limited to:

1. Craft specific language to submit to the legislature and encourage the county, FAC, and other stage holders to lobby for its passage and state-wide application.
2. Craft language that can be put on a voter referendum for possibly adoption and application to all those seeking office in Leon County.
3. Craft language that candidates will be asked to voluntarily sign on to, regarding their conduct and fundraising practices.

B. CITIZEN UTILITY REVIEW ADVISORY BOARD:

My vision of this "board" is not one of a governing body, but rather, an empowering body that gives the citizens of Leon county an avenue to provide input on issues such as rates, energy portfolio, goals/general directions, etc. to their utility providers. The Florida Public Service Commission (PSC) only has a limited regulatory role (base rate increase, new plant creation, etc.) and City of Tallahassee and Talquin utility customers have little say in the decisions of their providers. This "board" or "committee", even with only "advisory role" will provide a central voice for our residents.

One of the things I love the most about our charter form of county government is the home rule provision. It means that it is not just the legislature or commissioners that set the rules, it is also the people. Although you may have been appointed by commissioners, you are the representatives of the people.

I know it takes effort and courage to take on the tougher issues. I believed that, even in the face of established opposition, you all have the caring hearts and the capability to make decisions that are in the best interest of all of our residents.

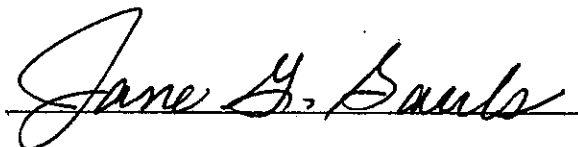
Respectfully Submitted by,
Akin Akinyemi
Leon County Commissioner At-Large

COMMISSIONER SAULS' REMARKS FOR CHARTER REVIEW COMMITTEE

11-12-09

- Thank you for the work you will be doing as members of the Charter Review Committee.
- I believe that becoming a Charter County has helped the County Commission in providing services to residents in a more effective and efficient manner.
- Although I do not feel that much change is needed in our current charter, like any organization there is always room for improvement.
- I favor the current Commission Manager and Attorney form of government, and the current system in which the Board operates.
- Since I've been on the Commission, we have made significant progress in working with the City to identify programs and services that can be best done jointly.
- For this reason, I am opposed to a full consolidation of the County and City. However, as we look at our community at a regional level, we recognize that there are areas where a uniform regulatory approach would best serve all citizens of Leon County.

- One area is stormwater. The waters of our community do not recognize the political boundaries of the County or City, and for this reason I support countywide stormwater regulations by amending Article 1, Section 1.6 of the Charter to read: “Except as otherwise provided by law or this Charter, and except for the areas of stormwater regulations, standards, and permitting, municipal ordinances shall prevail over County ordinance to the extent of any conflict within the boundaries of the municipality. To the extent that a county ordinance and a municipal ordinance shall cover the same subject without conflict, then both the municipal ordinance and the county ordinance shall be effective, each being deemed supplemental to the other”.
- Once again, I thank you for taking on this task, and I encourage you to review the Charter thoroughly as this is a very important process.
- The Board of County Commissioners will take the recommendations of this Committee very seriously as we work together to address the future of County government.

A handwritten signature in cursive script, reading "Jane G. Sauls". The signature is written in dark ink and is positioned above the printed name.

Jane G. Sauls

County Commissioner, District 2